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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 10, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SUMMER P.,¹

No. 1:24-cv-3071-EFS

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of
Social Security,

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

Defendant.

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff may be entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 5**, is

GRANTED.

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

- 1 2. This matter is **REVERSED** and **REMANDED** to the Commissioner
2 of Social Security for further administrative proceedings pursuant to
3 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council
4 is to remand the case to an Administrative Law Judge for a hearing.
5 3. The Clerk's Office shall enter **JUDGMENT** in favor of Plaintiff and
6 **CLOSE** the case.

7 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
8 and provide copies to all counsel.

9 **DATED** this 10th day of June 2024.

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12 EDWARD F. SHEA
13 Senior United States District Judge